

## State Water Resources Control Board

May 15, 2017

(Via email and Certified Mail)

**CERTIFIED MAIL**  
**NO. 7015 1520 0001 8017 0590**

Mr. Chris Rizzoli, Supervisor  
Vehicle Maintenance Yard  
The City of Pleasanton  
P.O. Box 520  
Pleasanton, California 94566  
[crizzoli@ci.pleasanton.ca.us](mailto:crizzoli@ci.pleasanton.ca.us)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT THE CITY OF PLEASANTON VEHICLE MAINTENANCE YARD,  
3333 BUSCH ROAD, PLEASANTON**

Dear Mr. Rizzoli:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on April 28, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Operating Permit</b> – The permit to operate observed at the time of inspection had an expiration date of June 21, 2014.	All	June 22, 2014	Ongoing	H&SC 25284(a)
2	<b>Failure to Provide Board of Equalization (BOE) Number</b> – A valid BOE Number was not available at the time of inspection.	All	April 28, 2017	Ongoing	H&SC 25286(c)(9)
3	<b>Failure to Maintain Monitoring Plan</b> – An approved monitoring plan was not available in CERS or onsite at the time of the inspection.	All	April 28, 2017	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2634(a), (b), (c) and (d), 2712(i)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	<b>Failure to Maintain Release Response Plan</b> – An approved release response plan was not available in CERS or onsite at the time of the inspection.	All	April 28, 2017	Ongoing	23 CCR 2632(d)(2), 2634(e)
5	<b>Failure to Maintain Plot Plan/Site Map</b> – An approved plot plan/site map indicating the location of the product piping, tanks, and auxiliary equipment with respect to buildings or other landmarks, such as the street, was not available in CERS or onsite at the time of the inspection.	All	April 28, 2017	Ongoing	H&SC 25286(a); 23 CCR 2711(a)(8)
6	<b>Failure to Maintain UST Operating Permit Application: Facility and Tank Information (Forms A&amp;B)</b> – An approved Form A & B were not available in CERS or onsite at the time of inspection.	All	April 28, 2017	Ongoing	H&SC 25286(a); 23 CCR 2711(a)
7	<b>Failure to Maintain Financial Responsibility</b> – An approved certificate of financial responsibility and Chief Financial Officer letter were not available in CERS or onsite.	All	April 28, 2017	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
8	<b>Failure to Maintain Monitoring and Testing Records Onsite</b> – The 2016 annual monitoring certifications, spill containment tests, and the most recent secondary containment testing report were not present at the time of inspection. These testing documents must be kept onsite for three years.	All	April 28, 2017	Ongoing	H&SC 25293; 23 CCR 2712(b) and (i)
9	<b>Failure to Notify Local Agency of Designated Operator (DO)</b> – The Owners Statement of the DO Form was not available in CERS or onsite at the time of inspection.	All	April 28, 2017	Ongoing	23 CCR 2715(a)
10	<b>Failure to Maintain Spill Containment Requirements</b> – The spill containment device failed testing on March 20, 2017. No proof of correction was present onsite at the time of inspection.	Diesel	March 20, 2017	Ongoing	H&SC 25284.2; 23 CCR 2635(b)(1)

No.	Violation	Tank	Start Date	Stop Date	Regulation
11	<b>Failure to Maintain Spill Containment Requirements –</b> The spill containment device contained ¼ inch of liquid preventing its ability to hold five gallons.	Unleaded	April 28, 2017	Ongoing	23 CCR 2635(b)(1)
12	<b>Failure to Continuously Monitor Emergency Generator Pressurized Piping –</b> Daily alarm log was not present at the time of inspection. Pressurized systems for emergency generator tanks without line leak detectors require a daily log.	Diesel	April 28, 2017	Ongoing	23 CCR 2636(f)(1) and (6)
13	<b>Failure to Monitor Product Piping –</b> The sensor in the piping sump is not able to detect a leak at the earliest opportunity because it is not at the lowest point, raised approximately 1½ inches.	Unleaded	April 28, 2017	Ongoing	23 CCR 2630(d)
14	<b>Failure to Monitor Product Piping –</b> The float and chain assembly in the under dispenser containment is not able to detect a leak at the earliest opportunity because the chain is too long.	Diesel	April 28, 2017	Ongoing	23 CCR 2630(d)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and the Livermore Pleasanton Fire Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Will Speth  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
801 K Street, Suite 2300  
Sacramento, California 95814  
[will.speth@waterboards.ca.gov](mailto:will.speth@waterboards.ca.gov)

**Local CUPA**

Ms. Danielle Stefani  
Assistant Fire Marshall  
Livermore Pleasanton Fire Department  
3560 Nevada Street  
Pleasanton, California 94566  
[dastefani@lpfire.org](mailto:dastefani@lpfire.org)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: *(via email only)*

Mr. Thomas Fullam  
Lead Building Maintenance Worker  
Public Works/Support Services  
City of Pleasanton  
[tfullam@cityofpleasantonca.gov](mailto:tfullam@cityofpleasantonca.gov)

Ms. Danielle Stefani  
Assistant Fire Marshall  
[dastefani@lpfire.org](mailto:dastefani@lpfire.org)

Ms. Eumy Hung  
Hazardous Materials Inspector  
[ehung@lpfire.org](mailto:ehung@lpfire.org)